Update: Haitians' Struggle Continues ...But Now in the Courtrooms

By John Dash

In the course of the past few weeks the by now epic story of the Haitian refugees has taken several new turns.

The refugees of particular concern are those who were seized and detained by the federal government and who now are either facing or going through hearings to determine their eligibility to stay in the United States.

The refugees' cause is of special interest in the diocese. A number of the men are now living here, having been

released by court order, after a vear's detention at Ray Brook Federal Penitentiary in the Adirondacks. Many of the refugees here have been under the protection and care of the United States Catholic

Last April, a federal appellate court in Atlanta, Ga., ruled that the government showed "a stark pattern of discrimination" in its dealings with nearly 1,800 Haitians who arrived on U.S. shores and were detained in 1981 and 82.



Cardinal Cooke visited the Rochester diocese. Here he presents the crozier to Bishop Clark at the latter's installation ceremony June 26, 1979.

Cardinal Cooke

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to the College of Cardinals in

Born March 1, 1921 in Manhattan, the future Cardinal Cooke was ordained to the priesthood in 1945 in New York. Prior to being elevated to auxiliary bishop of New York in 1965 the future cardinal directed youth activities for Catholic Charities of New York, taught at Fordham University, was bursar at St. Joseph's Seminary, and was personal secretary to Cardinal Francis Spellman, whom he later succeeded.

Since 1975 he has been pairman of the U.S. ops' Committee for Pro-Life Activities, where he led the bishops' efforts to fight abortion.

Cardinal Cooke also has been president of the Catholic Near East Welfare Association and in that capacity took a personal interest in the civil war in Lebanon.

He was a friend of presidents and politicians. His installation as archbishop of New York was attended by President Lyndon B. Johnson, and he delivered the eulogy for Sen. Robert F. Kennedy (D-N.Y.) in St. Patrick's Cathedral after Kennedy was assassinated in

More recently he was an occasional visitor to the White House. He was one of the first outsiders to meet with President Reagan at the executive mansion after the attempted assassination of Reagan in 1981.

Cardinal Cooke was mentioned as a candidate for a seat on Reagan's new National Bipartisan Commission on Central America but said in July that he could not serve.

Diocesan **Appointments**



Bishop Matthew H. Clark has assigned the following priests to a sabbatical this Fall:

Father Francis E. Blighton, Center for Religious Development, Weston School of Theology, Cambridge,

Msgr. John E. Duffy, New York Province Priests' Institute, Dunwoodie, N.Y. Father Richard Orlando, New York Province Priests'

Institute, Dunwoodie, N.Y. Father John Philipps, Institute for Continuing Theological Education, North American College, Rome. Father George Wiant, Notre Dame Institute for Clergy

Education, University of Notre Dame, Notre Dame, Ind.

At the time, Judge Phyllis Kravitch said, "There was ample unrebutted evidence that plaintiffs were denied equal protection of the laws." These Haitians are the ones whom President Reagan ordered to be shot by the Coast Guard lest they land on

However the same court in Atlanta will be the forum for determining whether the Haitian refugees "have rights under the U.S. Constitution" next month. The government is pursuing the matter following its April defeat.

U.S. soil.

Announcement of the

shortly after another legal action, this in Miami, Fla.

Lawvers for the Haitians have requested an emergency order to block their clients deportation back to Haiti

The request was filed before U.S. District Judge Eugene Spellman by attorney Ira Kurzban

Kurzban said the lawyers fear other Haitians may suffer the same fate as a refugee recently deported despite intervention by the United Nations High Commission on

In that case, the unnamed Haitian was one of eight who have been deported, an ac-Atlanta development came tion Kurzban termed "abso-

Diocese of Abancay, Peru.

The 44-year-old cleric

became the fourth Opus Dei

member to be named a bish-

op. The others also are Latin

Tragedy Looms

tragedy," Bishop Quarracino added.

Opus Deist Made Bishop

Vatican City (NC) -- Fa-

ther Juan Antonio Ugarte

Perez, a member of Opus

Dei, was named by Pope

John Paul II on Aug. 20 as

auxiliary bishop of the

Rimini, Italy (NC) - U.S. military intervention

in Central America "would be a tragedy," according

to Bishop Antonio Quarracino, president of the

Latin American Bishops' Council. "Perhaps I'm an

optimist, but I believe that, faced with 'the giant,' the

little countries will end up reaching an agreement,'

said Bishop Quarracino in an interview published Aug. 26. But if there is no agreement, "then I fear that Washington will intervene and that would be a

ucety disgracefu! shabbi

The Haitian was under the protection of the United Nations his attorney Arthur Henon said last week. Henon is the executive directo of the New Yorkbased Lawvers Committee to: international Human Relations

Helton said the refugee had been approved for resettlement in France by the U.N High Commission on Refugees

However, JoAnn Whitaker a New York immigration official, stated in a letter to Helton, that the immigration agents "do not believe that (he) will be persecuted if he is returned to Haiti. If (he) wishes to emigrate to France, he can pursue that possibility from Haiti.

George Gordon-Lennox, U.N. commission spokesman, said, however, that the refugee was a summer volunteer for a Haitian radio station shut down by the government. He said the Haitian was imprisoned, tortured and warned to leave Haiti, so he fled to the United

In Rochester, attorney Ragna Hendricks of Nixon Hargrave Devans & Doyle who has been coordinating the legal effort for the Haitians here, said last week that a date of Sept. 16 has been set for the start of the local group's "exclusionary" hearings.

Prior to that date, however, she said, the Haitians' volunteer attorneys will be raising motions, providing information and filing a variety of other materials relevant to each individual case. That activity could delay individual hearings beyond Sept. 16, she indicated.

The outcome of the Atlanta appeal could also affect the local hearings, she

Along The Way

Bishop Matthew H. Clark is studying in Rome. His column will resume as scheduling and distance allow.

Freedom March:

Americans.

Washington (NC) -- The 20th anniversary March on Washington Aug. 27 was organized not just to celebrate the anniversary of Dr. Martin Luther King Jr.'s famous "1 have a dream" speech but also to urge support for pending legislation similar to the "legislative revolution" which followed the 1963 march.

In the wake of that earlier demonstration, which attracted 250,000 marchers to Washington, Congress enacted new antidiscrimination laws, passed the Voting Rights Act, declared the War on Poverty and started new education, housing and urban development initiatives.

Organizers of this year's march, which outdrew the first one by some 50,000, hope it will serve as a similar legislative springboard for a host of issues ranging from a iobs bill currently pending in the House, to the nuclear freeze resolution, to the Equal Rights Amendment. All are aimed at meeting the march's theme of "jobs, peace and freedom."

The U.S. Catholic Conference public policy arm of the U.S. bishops, endorsed the march itself, although USCC officials also made clear the endorsement does not automatically translate into support for all the legislative proposals backed by march organizers.

(The march was endorsed locally by Bishop Matthew H. Clark as well as by the Office of Black Ministries and the Department of Justice and Peace. Hundreds from the Rochester area made the trip.)

Top on the list of legislative proposals is the Community Renewal Employment Act sponsored by Rep. Augustus F. Hawkins (D-Calif.), a bill aimed at creating 1 million jobs for the long-term unemployed in areas of high joblessness. The measure, expected to be voted on by the House this fall, would authorize grants to state and local governments for the labor costs of activities such as repair of public facilities and the maintenance of public health, safety, education and social service pro-

Walter E. Fauntroy, the non-voting delegate to Congress and national director of the march, called the Hawkins bill a "necessary first step" in the effort to protect victims of economic dislocation and transformation and to meet retraining needs for the jobs of tomorrow. In a statement issued prior to the march he also said the federal government had "shockingly abdicated its responsibility to stimulate job creation."

To meet the march's second theme of peace, organizers have identified eight legislative proposals, best known of which is the nuclear freeze resolution passed by the House and pending in the Senate. The peace theme is being pressed not only because of what march organizers warn is the threat of nuclear annihilation but also because increased military spending "robs us of the ability to invest in human capital."

More Than Just A Celebration

Also on the list of peace initiatives is a defense authorization bill backed by the Congressional Black Caucus to cut \$65 billion from defense spending in 1984; a Defense Economic Adjustment Act sponsored by Rep. Ted Weiss (D-N.Y.) to ease the transition of defense workers into alternative industries; several measures aimed at limiting U.S. economic and military contacts with South Africa, and a Senate bill to encourage unconditional negotiations to end El Salvador's civil war.

Under the third theme -freedom -- march organizers listed three legislative proposals which they said are

necessary for the achievement of freedom for all Americans. Besides the ERA, march officials urged support for legislation to strengthen enforcement of the Fair Housing Act of 1968 and for measures aimed at parity for women in pensions, insurance, taxes, federal regulations, child support and child

Also under the freedom theme the organizers urged defeat of Reagan administration efforts to weaken laws and programs in the areas of equal employment opportunity, affirmative action, voting rights, school desegregation and minority business.

Father O'Malley **Red Mass Homilist**

O'Malley, SJ, will deliver the homily at the 38th annual Red Mass scheduled at 12:15 p.m., Friday, Sept. 9, at Old St. Mary's Church, 15 South St. Celebrant of the Mass will be Auxiliary Bishop Dennis-W. Hickey.

Father O'Malley's topic will be "The Roots of Law. He is a teacher at McQuaid High School for advanced placements in English, Theology and Drama since 1965. During that time, he has directed two or three plays annually.

He appeared in the 1973 film, "The Exorcist," and has written articles and books on English, drama, prayer and religious education. He also has written plays, made recordings, appeared on national television programs and has been a consultant for

Father William J. several national educational organizations.

The St. Thomas More Lawyers Guild, an association of some 200 lawyers, has sponsored the Mass since 1975. The honorary chairman this year is Judge Domenick L. Gabrielli, retired judge of the Court of Appeals. Attorneys John F. Burke and Gerald Barrett are co-chairmen of the Red Mass Committee.

In addition to sponsoring the Mass, the guild also supports programs for volunteer legal services to the imprisoned and parents of the handicapped, and presents several public informational forums annually on current topics of legal, moral and medical significance.

The public is invited to the